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PATENT
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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adele B. Ardolino

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey A. Hubbell, et al. Art Unit: 1651
Serial No.: 09/496,231 Examiner: L.B. Lankford
Filed: February 1, 2000 Customer No.: 21559
Title: BIOMATERIALS FORMED BY NUCLEOPHILIC ADDITION
REACTION TO CONJUGATED UNSATURATED GROUPS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Washington, D.C. 20231

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JUL 16 2003

OFFICE OF PETITIONS

DECLARATION OF KRISTINA BIEKER-BRADY

I, Kristina Bieker-Brady, Ph.D., declare as follows:

I am a partner in the law firm of Clark & Elbing LLP and an attorney of record in the above-captioned case.

I first became aware of the abandonment of the above-captioned application on June 24, 2003, upon receipt of a Notice of Abandonment. I submit that the accompanying petition to withdraw the Notice is being promptly submitted as required by 37 C.F.R. § 1.8(b)(1).

On February 3, 2003, I signed correspondence entitled Reply to Examiner's Action and Petition for Extension of Time, which included certificates of mailing printed directly on the correspondence, indicating that the correspondence, accompanying postcard, and check were being deposited with the United States Postal Service on February 3, 2003. I gave the signed documents to my secretary, who made photocopies for the file. The originals were then sealed in an envelope preprinted with the address of the Commissioner for Patents, which was left in the designated box in our mailroom to be delivered to the United States Postal Service, in accordance with the procedures described in the Declaration of Guy E. Beardsley.

Knowing the procedures for outgoing mail and my secretary's experience with them, I had a reasonable basis to expect that the correspondence would be deposited with the United States Postal Service on the date indicated.

On June 24, 2003, I received a Notice of Abandonment, which had been mailed June 17, 2003, indicating that "this application is abandoned in view of applicant's failure to timely file a proper reply to the Office letter mailed on October 3, 2002." It was upon receipt of this notification that I first became aware that the patent was abandoned.

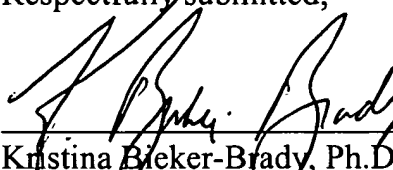
All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date:

July 8, 2003

Respectfully submitted,



Kristina Bleker-Brady, Ph.D.
Reg. No. 39,109

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



21559

PATENT TRADEMARK OFFICE



PATENT
ATTORNEY DOCKET NO. 50154/002002

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Adele B. Ardolino

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUL 16 2003

DECLARATION OF GUY E. BEARDSLEY

OFFICE OF PETITIONS

I, Guy E. Beardsley, declare as follows:

I am employed by Clark & Elbing LLP as a Legal Administrator. I supervise the delivery of mail to the United States Postal Service.

The Clark & Elbing LLP mailroom procedures that I and all other employees follow require that all mail to be taken to the Post Office be left in a specially designated box in the mailroom. It is also part of the mailroom procedures that I or another employee supervised by me asks each secretary each afternoon if he/she has any outgoing mail and to determine whether any of that mail is being sent by Registered, Express, or

Certified mail. At the close of business each day, I or another employee designated by me checks the box for mail and delivers it as follows.

All of the mail in the box including first class mail is delivered to the United States Postal Service's General Mail Facility on Dorchester Avenue.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date:

July 7, 2007

Guy E. Beardsley
Guy E. Beardsley

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



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Adele B. Ardolino

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Alexandria, VA 22313-1450

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JUL 16 2003

OFFICE OF PETITIONS

DECLARATION OF KRISTINA LEVITES

I, Kristina Levites, declare as follows:

I am an employee of the law firm of Clark & Elbing LLP and have been a patent law secretary for three and a half years.

On February 3, 2003, I signed the certificates of mailing stamped directly on the correspondence entitled Reply to Examiner's Action and Petition for Extension of Time, which indicated that the correspondence and accompanying postcard and check were being deposited with the United States Postal Service on February 3, 2003. I made

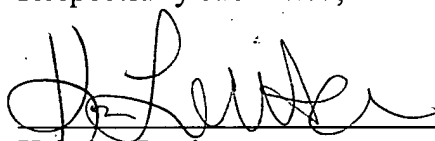
photocopies for the file. The originals were then sealed in an envelope preprinted with the address of the Commissioner for Patents, which was left in the designated box in our mailroom to be delivered to the United States Postal Service, in accordance with the procedures described in the Declaration of Guy E. Beardsley.

Knowing the procedures for outgoing mail and my own experience with them, I had a reasonable basis to expect that the correspondence would be deposited with the United States Postal Service on the date indicated.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 7/7/03



Kristina Levites

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21559

PATENT TRADEMARK OFFICE